

REPORT (MISC. #19223)

July 18, 2019

BY: Commissioner Nancy Quarles, Chairperson, Legislative Affairs and Government Operations Committee

**IN RE: MR #19223 – BOARD OF COMMISSIONERS – SUPPORT OF EXPANSION OF MICHIGAN CIVIL RIGHTS LAWS FOR LGBT INDIVIDUALS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Legislative Affairs and Government Operations Committee, having reviewed the above-referenced resolution on July 8, 2019, reports to recommend adoption of the resolution with the following amendment(s):


Strike the following 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> WHEREAS paragraphs:

~~WHEREAS in May 2018, the Michigan Civil Rights Commission voted to expand the commission's interpretation of the state's Elliott Larsen Civil Rights Act to include protections from discrimination based on sexual orientation and gender identification; and~~

~~WHEREAS in July 2018, then Attorney General Bill Schuette issued an opinion prohibiting the Michigan Civil Rights Commission from continuing to enforce LGBT protections, stating "the Commission's interpretation conflicts with the Act's plain language"; and~~

~~WHEREAS the Michigan Civil Rights Commission stated their intent to ignore Schuette's opinion and have sought a new opinion from the current Attorney General, Dana Nessel; and~~

Chairperson, on behalf of the Legislative Affairs and Government Operations Committee, I move the acceptance of the foregoing report.



Commissioner Nancy Quarles, District #17  
Chairperson, Legislative Affairs and Government  
Operations Committee

**LEGISLATIVE AFFAIRS AND GOVERNMENT OPERATIONS COMMITTEE VOTE:**

Motion carried unanimously on a roll call vote with Gingell absent.

MISCELLANEOUS RESOLUTION

#19223 *W. Gela Powell #10 Jackson #21*  
BY: Commissioner Penny Luebs, District #16, *William Miller #14, KRISTEN NELSON #5 Mark #9*

IN RE: BOARD OF COMMISSIONERS — SUPPORT OF EXPANSION OF MICHIGAN CIVIL RIGHTS LAWS FOR LGBT INDIVIDUALS

*MARCIA GERSHENSON #13 HELMINEZ ACK #18, Nancy #17*

To the Oakland County Board of Commissioners  
Chairperson, Ladies and Gentlemen:

WHEREAS Oakland County upholds the firm belief that any individual, regardless of race, sex, sexual orientation, gender identity, culture or socio-economic status, should have the same opportunities to live openly without discrimination and enjoy equal rights; personal autonomy, and freedom of expression and association; and

WHEREAS Oakland County's tremendous economic engine has been strengthened by the rich diversity of all individuals who live and work here; and

WHEREAS the Elliott-Larsen Civil Rights Act, or Public Act 453 of 1976, prohibits discrimination in Michigan on the basis of "religion, race, color, national origin, age, sex, height, weight, familial status, or marital status" in employment, housing, education, and access to public accommodations; and

WHEREAS in May 2018, the Michigan Civil Rights Commission voted to expand the commission's interpretation of the state's Elliott-Larsen Civil Rights Act to include protections from discrimination based on sexual orientation and gender identification; and

WHEREAS in July 2018, then Attorney General Bill Schuette issued an opinion prohibiting the Michigan Civil Rights Commission from continuing to enforce LGBT protections, stating "the Commission's interpretation conflicts with the Act's plain language"; and

WHEREAS the Michigan Civil Rights Commission stated their intent to ignore Schuette's opinion and have sought a new opinion from the current Attorney General, Dana Nessel; and

WHEREAS legislative action is required to provide finality to this debate and solid protections for individuals on the basis of sexual orientation and gender identity; and

WHEREAS Senator Jeremy Moss, Representatives Jon Hoadley and Tim Sneller have introduced Senate Bill 351 and HB 4688 for the purposes of expanding the Elliott-Larsen Civil Rights Act to include protections for sexual orientation, gender identity or expression; and

WHEREAS enactment of this legislation will serve to build a stronger, more diverse Oakland County and Michigan, making us more competitive in a global economy, fostering better workplace relationships, better health outcomes and increased job satisfaction.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners hereby endorses the expansion of civil rights protections for LGBT individuals by amending the Elliot-Larsen Civil Rights Act through the adoption of Senate Bill 351 and House Bill 4688.

BE IT FURTHER RESOLVED that the Oakland County Clerk/Register of Deeds is requested to forward copies of this adopted resolution to the Governor of the State of Michigan, the members of the Oakland County delegation to the Michigan Legislature, and the Michigan Association of Counties.

Chairperson, I move the adoption of the foregoing resolution.

*Penny Luebs*  
\_\_\_\_\_  
Commissioner Penny Luebs  
District #16

~~Commissioner  
District # 14~~

Commissioner  
District # 14

*Sven Markh*

Commissioner  
District # 9

*[Signature]*

Commissioner  
District # 21

*Manu Gersten sr*

Commissioner  
District # 13

*Helaine Zach*

Commissioner  
District # 18

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

*Stephen D. Nelson*

Commissioner  
District # 5

*[Signature]*

Commissioner  
District # 10

*[Signature]*

Commissioner  
District # 19

*Dave R. McElroy*

Commissioner  
District # 20

*[Signature]*

Commissioner  
District # 17

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Commissioner  
District #

Resolution #19223

June 12, 2019

The Chairperson referred the resolution to the Legislative Affairs and Government Operations Committee.  
There were no objections.

Moved by Luebs seconded by Quarles the resolution be adopted.

Moved by Quarles seconded by Jackson the Legislative Affairs and Government Operations Committee Report be accepted.

A sufficient majority having voted in favor, the report was accepted.

Chairperson David Woodward addressed the Board to call a recess at 12:16 p.m.

Chairperson David Woodward called the board to reconvene at 12:47 p.m.

Roll called.

PRESENT: Long, Luebs, Markham, McGillivray, Middleton, Miller, Nelson, Powell, Quarles, Spisz, Taub, Weipert, Woodward, Zack, Gershenson, Hoffman, Jackson, Kochenderfer, Kowall, Kuhn. (20)

ABSENT: Gingell. (1)

Moved by Kochenderfer seconded by Weipert the resolution be amended as follows:

Delete the 8<sup>th</sup> WHEREAS Statement:

~~WHEREAS Senator Jeremy Moss, Representatives Jon Hoadley and Tim Sneller have introduced Senate Bill 351 and HB 4688 for the purposes of expanding the Elliott-Larsen Civil Rights Act to include protections for sexual orientation, gender identity or expression; and~~

Delete the 9<sup>th</sup> WHEREAS Statement:

~~WHEREAS enactment of this legislation will serve to build a stronger, more diverse Oakland County and Michigan, making us more competitive in a global economy, fostering better workplace relationships, better health outcomes and increased job satisfaction.~~

Amend the NOW THEREFORE BE IT RESOLVED:

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners hereby endorses the expansion of civil rights protections for LGBT individuals by amending the Elliot-Larsen Civil Rights Act through the adoption of Senate Bill 351 and House Bill 4688 **to provide solid protections for individuals on the basis of sexual orientation and gender identity.**

Vote on amendment:

AYES: Middleton, Spisz, Taub, Weipert, Hoffman, Kochenderfer, Kowall, Kuhn, Long. (9)

NAYS: Luebs, Markham, McGillivray, Miller, Nelson, Powell, Quarles, Woodward, Zack, Gershenson, Jackson. (11)

A sufficient majority having not voted in favor, the amendment failed.

Discussion followed.

Vote on resolution:

AYES: Markham, McGillivray, Miller, Nelson, Powell, Quarles, Taub, Weipert, Woodward, Zack, Gershenson, Hoffman, Jackson, Luebs. (14)

NAYS: Middleton, Spisz, Kochenderfer, Kowall, Kuhn, Long. (6)

A sufficient majority having voted in favor, the resolution was adopted.

Donald Dfer 7/24/19

**DOES NOT REQUIRE COUNTY EXECUTIVE ACTION**

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

I, Lisa Brown, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on July 18, 2019, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court at Pontiac, Michigan this 18<sup>th</sup> day of July, 2019.



Lisa Brown, Oakland County